

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES ROBERT BATES,

Plaintiff,

v.

Case No. 2:16-cv-14324
District Judge Sean F. Cox
Magistrate Judge Anthony P. Patti

O'BELL THOMAS WINN and
JAMES ROTH,

Defendants.

/

**ORDER GRANTING DEFENDANTS' MOTION FOR LEAVE TO TAKE
PLAINTIFF'S DEPOSITION (ECF No. 58)**

Before the Court for consideration is Defendants' motion for leave to take Plaintiff's deposition. (ECF No. 58.) Plaintiff James Robert Bates (#54580-039) is currently incarcerated at Lompoc Penitentiary in Lompoc, California. *See* www.bop.gov, "Inmate Locator." Permission of the Court to take the deposition is required under Fed. R. Civ. P. 30(a)(2)(B) because Plaintiff is incarcerated.

Defendants represent in their motion that "Plaintiff's counsel does not object to this motion for leave to take Plaintiff's deposition." (ECF No. 58, PageID.536.) Thus, upon consideration, **IT IS HEREBY ORDERED** that Defendants' motion for leave to take Plaintiff's deposition (ECF No. 58) is **GRANTED**, and Defendants shall be permitted to take the deposition of Plaintiff for all purposes allowed by the Federal Rules of Civil Procedure. The deposition may occur by

telephone or via video teleconference at Defendants' option as requested in their motion (ECF No. 58, PageID.535, 542-543) and consistent with the requirements and needs of Plaintiff's place of incarceration.

IT IS SO ORDERED.

Dated: October 29, 2020

APP. 2

Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE